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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	Case No. 2:15-cv-1743
	)	
v.	)	
	)	
400 ACRES OF LAND, MORE OR LESS,	)	
SITUATE IN LINCOLN COUNTY, STATE OF	)	
NEVADA; and JESSIE J. COX, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**COMPLAINT IN CONDEMNATION [With Declaration of Taking]**

1. This is a civil action brought by the United States of America at the request of the Secretary of the Air Force, through the Deputy Assistant Secretary for Installations, for the taking of property under the power of eminent domain through a Declaration of Taking and for the determination and award of just compensation to the owners and parties in interest.

1       2. This Court has jurisdiction over all relevant matters in this case as provided by 28 U.S.C. §  
2 1358.

3       3. The authority for the taking of the interests in land is under and in accordance with 10 U.S.C. §  
4 2663(a), which authorizes the Secretary of a military department to acquire any interest in land that is  
5 needed for the site, construction, or operation of fortifications or military training camps; the Act of  
6 Congress approved February 26, 1931, as amended (46 Stat. 1421, codified at 40 U.S.C. § 3114); the  
7 Act of Congress approved August 1, 1888, as amended (25 Stat. 357, codified at 40 U.S.C. § 3113);  
8 Sections 101 and 4101 of the National Defense Authorization Act for Fiscal Year 2015, Pub. L. No.  
9 113-291, 128 Stat. 3296, which authorized the appropriation of funds for this acquisition; and the  
10 Consolidated and Further Continuing Appropriations Act, 2015, Pub. L. No. 113-235, 128 Stat. 2246,  
11 which Act made funds available for this acquisition. The authority granted to the Secretary of the Air  
12 Force in 10 U.S.C. § 2663(a) is delegated to the Assistant Secretary of the Air Force for Installations,  
13 Environment and Energy (SAF/IE) in Headquarters Air Force Mission Directive 1-18, dated July 10,  
14 2014, Paragraph A1.1.3, and re-delegated to the Deputy Assistant Secretary of the Air Force for  
15 Installations (SAF/IEI) in the SAF/IE Re-delegation Memorandum dated August 14, 2015, Paragraph  
16 I(B). These authorities are also described in Schedule A, attached hereto and made a part hereof.

17       4. The public purpose for which said interests in land are taken is described in Schedule B,  
18 attached hereto and made a part hereof.

19       5. A general description of the lands being taken is set forth in Schedule C, attached hereto and  
20 made a part hereof.

21       6. Plats (maps) showing the lands taken are attached hereto as Schedule D and made a part  
22 hereof.

23       7. A general description of the estates taken is set forth in Schedule E, attached hereto and made a  
24 part hereof. ✕

25       8. The persons who may have or claim a purported interest in the property and whose names are  
26 known are listed in Schedule F, attached hereto and made a part hereof. In addition to those persons

1 named, there are or may be others who have or may have some interest in the property or interests to  
2 be taken, whose names are unknown to the Plaintiff, and such persons are made parties in the action  
3 under the designation "Other Interested Parties."

4 9. Local and State taxing authorities may have or claim an interest in the property by reason of  
5 taxes and assessments.

6 10. The statement of estimated just compensation is set forth in Schedule G, attached hereto and  
7 made a part hereof.

8 WHEREFORE, Plaintiff demands judgment that the property and interests be condemned, and  
9 that just compensation for the taking be ascertained, and such other relief as may be lawful and proper.

10  
11 DATED: September 10, 2015

UNITED STATES OF AMERICA

12  
13 DANIEL G. BOGDEN  
United States Attorney

14  
15 TROY K. FLAKE  
Assistant United States Attorney

16 /s/ Georgia Garthwaite  
17 GEORGIA GARTHWAITE  
Trial Attorney  
18 United States Department of Justice  
19  
20  
21  
22  
23  
24  
25  
26

**CERTIFICATE OF SERVICE**

I hereby certify that I have caused the foregoing COMPLAINT IN CONDEMNATION [With Declaration of Taking] to be mailed, by the United States Postal Service, to the following:

Lincoln County  
c/o Mark Holt, Assessor  
181 North Main Street, Suite 203  
P.O. Box 420  
Pioche, NV 89043

Alicia R. Sheahan-Hall  
6254 Union Avenue  
Firestone, CO 80504

Jessie James Cox  
P.O. Box 352  
Mead CO 80542-0352

Christina Francis Sheahan  
401 Bell Avenue  
Henderson, NV 89015

Lauriene Jane (Sheahan) DeAngelo  
24 Whispering Lane  
Natick, MA 01760-5883

Sr. Barbara S. Sheahan  
Sisters of the Holy Family  
159 Washington Boulevard  
P.O. Box 3248  
Fremont, CA 94539-0324

Barbara Ellen Wheatley Flanagan  
(a.k.a. Barbara Flanagan)  
47-978 Silver Spur Trail  
Palm Desert, CA 941114

Benjamin E. Sheahan and spouse Theresa  
Sheahan  
401 Bell Avenue  
Henderson NV 89015-5730

Mary Avis Sheahan Fuller  
520 Zuber Avenue  
Henderson, NV 89011-5393

Daniel R. Sheahan Jr.  
656 Burton Street  
Henderson NV 89105-7505

Lisa Anne Hegwood and spouse William L.  
Hegwood  
9144 County Road 24  
Fort Lupton, CO 80621-9712

Deborah Lynn Sheahan  
4662 Gabriel Drive  
Las Vegas, NV 89121

Ruth Ann Houx Loughridge  
616 Wales Drive  
Folsom, CA 95630

Sheahan Family Trust  
c/o co-trustees Daniel R. Sheahan, Jr.,  
Benjamin Sheahan and Barbara Manning  
677 Burton Street  
Henderson, NV 89015

Barbara F. Manning  
677 Burton Street  
Henderson, NV 89015

John B. Sheahan  
c/o Michael W. Sheahan  
6717 Rolling Meadows Drive #916  
Sparks, NV 89436-0106

Thomas H. Sears  
P.O. Box 275  
Pioche, NV 89043-0275

Joseph Richard Sheahan and spouse, Michelle  
Sheahan  
692 Descartes Avenue  
Henderson NV 89002-6500

Sarah Jane Sheahan  
8824 Utica Street  
Westminster, CO 80031-3541

Joseph Richard Sheahan  
692 Descartes Avenue  
Henderson NV 89002-6500

Christine Wheatley Tanis  
c/o counsel Christopher P. Schlies  
699 Peters Avenue, Suite B,  
Pleasanton, CA 94566

Martha A. Sheahan and spouse, Ford Dixon III  
10910 Turner Boulevard, Lot 55  
Longmont, CO 80504-9556

Heirs of Patricia Ann Wheatley

Heirs of Jerome F. Sears, Jr.

Martha Alice Sheahan  
10910 Turner Boulevard, Lot 55  
Longmont, CO 80504-9556

Heirs of Thomas O. Sears  
(a.k.a. Tom O. Sears)

Heirs of Daniel R. Sheahan

Michael James Sheahan  
4 March Street  
Nashua, NH 03060-5352

Unknown Heirs of Timothy J. Sheahan

Heirs of Winifred Wheatley

Michael W. Sheahan  
6717 Rolling Meadows Drive #916  
Sparks, NV 89436-0106

Heirs of James D. Wheatley

Heirs of Patricia Ann Wheatley

Patrick Joseph Sheahan and spouse Rhonda  
Susan Fleming  
24482 Craft Road  
Athens, AL 35613-7221  
Patrick Joseph Sheahan  
24482 Craft Road  
Athens, AL 35613-7221

Heirs of Mayme C. Brown

Heirs of Mary Joyce Wheatley Haven

Heirs of Thomas J. (T.J.) Wheatley

DATED: September 10, 2015

/s/ Georgia Garthwaite  
GEORGIA GARTHWAITE